

AMENDED IN SENATE AUGUST 7, 2012

AMENDED IN ASSEMBLY MAY 9, 2012

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2385

Introduced by Assembly Members Harkey and Hall

February 24, 2012

An act to add Section 1203.019 to the Penal Code, relating to probation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2385, as amended, Harkey. Probation.

Existing law authorizes a county correctional administrator, as defined, to offer a program under which specified offenders committed to a county jail or other county correctional facility may voluntarily participate, or involuntarily be placed, in a home detention program, including electronic monitoring, in lieu of confinement in the county jail or other county correctional facility under the auspices of the probation officer. Existing law authorizes the correctional administrator, with the approval of the board of supervisors of the county, to administer the home detention program pursuant to written contracts with appropriate public or private agencies or entities.

This bill would ~~require any~~ *authorize a court to place a person who* ~~participates or is placed in a county-administered~~ *an* electronic monitoring program ~~to be assigned to an electronic monitoring program operating that is operated by a private vendor only if that program is operated pursuant to a contract with the county and standards that complies with the above provisions.~~ *specified provisions, including*

requiring the private vendor to demonstrate evidence of financial responsibility. The bill would ~~state~~ provide that it is not intended to limit or restrict the use of electronic monitoring.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1203.019 is added to the Penal Code, to
- 2 read:
- 3 1203.019. (a) ~~A person who participates or is placed in a~~
- 4 ~~county-administered electronic monitoring program shall be~~
- 5 ~~assigned to an electronic monitoring program operating pursuant~~
- 6 ~~to a contract with the county that complies with the provisions of~~
- 7 ~~subdivision (j) of Section 1203.016. A court may place a person~~
- 8 ~~into an electronic monitoring program that is operated by a private~~
- 9 ~~vendor only if the program is operated pursuant to a contract and~~
- 10 ~~standards that comply with the provisions of subdivision (j) of~~
- 11 ~~Section 1203.016.~~
- 12 (b) Nothing in this section is intended to limit or restrict the use
- 13 of electronic monitoring.